IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 266 of 2007()

CRMP.4380/2006 of SESSIONS COURT, PALAKKAD
Crime No.495/06 of Cherpulassery Police Station

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: PETITIONER/ACCUSED

MUHAMMED RAFEEQUE, AGED 25 YEARS,
S/O.ABUBACKER, VADAKKETHIL HOUSE,
MALAYAKAVE POST, CHERPALASSERY, PALAKKAD.

BY ADV. SRI.K.ANAND

RESPONDENTS: STATE AND COMPLAINANT

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1. STATE OF KERALA, REP.BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE,
CHERPALASSERY POLICE STATION.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 266 of 2007

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Dated this the 16th day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.495 of 2006 of Cherpulassery Police Station for offences punishable under Section 9 (B)(1)(b) of Explosives Act, Section 3 read with Section 7(1)(a)(2) of Essential Commodities Act and Sections 6 and 7(1)(c) of the L.P.G. (Regulation, Supply and Distribution) Order, 2000, seeks anticipatory bail.

2. Even though the learned Public Prosecutor opposed the application, having regard to the fact that the LPG Cylinders in question have already been seized by the police, I am inclined to grant anticipatory bail to the petitioner on appropriate conditions safeguarding the interest of the prosecution.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

5. The petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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